

MONDAY, February 6, 1854.

Senate met pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The Journal of Saturday read and adopted.

Mr. Potter, chairman of the committee on the Judiciary, to whom was referred a bill authorising patents to be issued in certain cases decided by the district court, reported the same back and recommended its favorable consideration.

Mr. Taylor, chairman of the committee on Public Debt, made the following report :

The committee on Public Debt report back the following bills and petitions, and ask to be discharged from their further consideration :

- A bill for the relief of Joseph H. Beck ;
- A bill for the relief of Gallagher & Fitzgerald ;
- A bill for the relief of H. P. Fowler ;
- A bill for the relief of Daniel B. Graham ;
- Petition of Samuel Swartwout ; and
- Petition of Nathaniel Hart.

Mr. Allen, chairman of the Select committee, to whom was referred a bill creating the 16th judicial district, and defining the time of holding the courts therein, reported a substitute therefor, and recommended its adoption.

On motion of Mr. Allen, rule suspended, substitute adopted, and bill ordered to be engrossed.

On motion of Mr. Allen, rule further suspended, bill read third time and passed.

Mr. Guinn, from the committee on Engrossed Bills, reported as correctly engrossed a bill to relinquish the right of the State to a certain tract of land therein named.

Mr. Paschal introduced a bill to create the 14th judicial district, and to fix the time of holding courts therein ; read first time.

On motion of Mr. Paschal, rule suspended, bill read second time and ordered to be engrossed.

On motion of Mr. Paschal, rule further suspended, bill read third time and passed.

Mr. Guinn introduced a bill to amend an act supplementary to an act granting to settlers on public domain pre-emption privileges, approved February 7th, 1853; read first time, and on motion of Mr. Guinn, rule suspended, read second time and referred to the committee on Public Lands.

Mr. McAnelly introduced a joint resolution for the relief of Annette E. Osborne; read first time.

On motion of Mr. McAnelly, rule suspended, and read second time.

Mr. Keenan offered the following amendment, to come in at the end of the first section:

Provided, That the said Osborne shall pay to the Comptroller the average value of town lots in the same part of the city of Austin.

Adopted, and bill ordered to be engrossed.

Mr. Hill introduced a bill to authorise Railroad or other incorporated companies to transfer land certificates; read first time.

On motion of Mr. Hill, rule suspended, and bill read second time.

Mr. Paschal offered the following amendment, to come in after the word "assigned:"

"And subject to the same laws as to the manner of locating and surveying of said certificates." Adopted.

Mr. Potter offered the following amendment, to come in after the word "assignee:"

"And all secret or other trust, intended for the benefit of any assignor, shall be null and void." Adopted.

The Senate refused to engross the bill by the following vote:

YEAS.—Messrs. Bryan, Durst, Gage, Hill, Keenan, McDade, Pedigo, Potter, Scarborough and Sublett—10.

NAYS.—Messrs. Guinn, Holland, Kyle, Lott, Martin, McAnelly, Newman, Paschal, Scott, Taylor, Weatherford and Whitaker—12.

Mr. Durst introduced a bill for the relief of Wyatt Hanks; read first time.

On motion of Mr. Durst, rule suspended, read second time and referred to the committee on Private Land Claims.

ORDERS OF THE DAY.

A bill authorising the chief justice of Galveston county to exercise the jurisdiction of a justice of the peace; read third time and passed.

Mr. Guinn, from the committee on Engrossed Bills, reported as correctly engrossed a bill to create the 14th judicial district of Texas, and to define the time of holding the courts therein.

A message was received from the House, informing the Senate

that the House had passed the following bills originating in that body :

A bill to incorporate the Rock Creek Bridge and Turnpike company ;

A bill to incorporate the Sabine and Lake Fork Bridge and Turnpike company ; and

A joint resolution granting Stephen Crosby, Commissioner of the General Land Office, leave of absence from the State

A bill making appropriations for the improvement of the rivers of the State, with report of the committee on Internal Improvements recommending its rejection : read, and on motion of Mr. Jowers, laid on the table by the following vote :

YEAS—Messrs. Doane, Guinn, Holland, Jowers, Kyle, Lott, Martin, McAnelly, Newman, Paschal, Scott, Taylor and Whitaker—13.

NAYS—Messrs. Bryan, Durst, Hill, McDade, Pedigo, Potter, Scarborough, Sublett and Weatherford—9.

A bill for the relief of the heirs of Thomas Scott, deceased ; read third time and passed.

A bill authorising and requiring the Auditor and Comptroller to audit the claim of Jackson McFarland and James McFarland ; read second time, and on motion of Mr. Hill, referred to the committee on Public Debt.

On motion of Mr. Pedigo, a bill for the relief of James Davis, taken up, read second time and ordered to be engrossed.

Mr. Pedigo moved a further suspension of the rule ; lost.

A bill to locate the seat of justice in the county of Robertson ; read second time, and on motion of Mr. Martin, laid on the table.

Mr. Allen moved to suspend the regular order of business for the purpose of taking up a bill to incorporate the Texas Steamship company ; lost.

On motion of Mr. McAnelly, a joint resolution for the relief of John J. Linn was taken up.

A message was received from the House, informing the Senate that the House had concurred in the Senate's amendment to a bill for the relief of Leslie Combs.

On motion of Mr. Lott, the Senate adjourned until three o'clock, P. M.

THREE O'CLOCK, P. M.

Senate met—roll called—quorum present.

A bill for the relief of John J. Linn, being under considera-

tion when the Senate adjourned, taken up and ordered to be engrossed by the following vote :

YEAS—Messrs. Bryan, Doane, Durst, Gage, Hill, Keenan, Lott, McAnelly, McDade, Newman, Paschal, Pedigo, Potter, Scarborough, Scott and Sublett—16.

NAYS—Messrs. Allen, Guinn, Holland, Jowers, Kyle, Martin, Taylor, Weatherford and Whitaker—9.

A message was received from the House, informing the Senate that the House had concurred in the Senate's amendment to a bill to incorporate the Brazos Branch Railroad company, and that the House had receded from its amendments to the Senate's bill donating to actual settlers on vacant public domain one hundred and sixty acres of land ; also, that the House had passed a bill originating in the Senate to create the 14th judicial district of Texas, and to fix the time of holding courts therein ; and a bill originating in the House to provide for the payment of the public debt of the late Republic of Texas, recognised as the first class debt.

Mr. Guinn, from the committee on Engrossed Bills, reported the following bills correctly engrossed :

A bill creating the 16th judicial district, and defining the time of holding the courts therein ;

A joint resolution for the relief of Annette E. Osborne ; and

A bill for the relief of James Davis.

On motion of Mr. Pedigo, the vote passing a bill to incorporate the Trinity River and Galveston Bay Dredging company, was reconsidered.

Mr. Pedigo offered the following amendments :

Amend section 2d, by striking out "William M. Spaulding," and inserting in lieu thereof "Benjamin Barrow."

Amend section 7, so as to read as follows : "*Be it further enacted*, That said company shall open the channel known as the Brown Pass, being the same designated for improvement by the United States Engineer, Capt. Whiting ; and they shall not be permitted to charge toll for or on account of any boat, flat, or other water craft passing through said channel, which would or could have passed through it without its having been deepened by said company."

Amend section 8, so as to read as follows : "*Be it further enacted*, That said company be and they are hereby authorised to demand, receive and collect, from the captain, master, owner or person controlling any steamboat, flat or other water craft pass-

ing through the channel opened by said company, such reasonable toll as the company may from time to time establish—the Legislature retaining the right at any time to alter, modify, or fix the tolls to be collected.”

Mr. Gage moved to lay the bill and amendments on the table; lost.

Mr. Pedigo's amendments were then adopted.

Mr. Pedigo moved to amend the bill by striking out section 9; lost.

Mr. Pedigo moved to amend the 9th section by striking out “Galveston” and inserting “Liberty.”

Mr. McAnelly moved to amend said amendment by inserting “Houston;” lost.

The vote recurring on Mr. Pedigo's amendment, it was also lost.

Mr. Pedigo moved to amend, by requiring three of the commissioners to reside in the county of Liberty; lost.

The bill then passed by the following vote:

YEAS—Messrs. Allen, Bryan, Durst, Guinn, Hill, Keenan, Kyle, Lott, Martin, McAnelly, McDade, Newman, Paschal, Pedigo, Potter, Scarborough, Scott and Weatherford—18.

NAYS—Messrs. Gage, Sublett, Taylor and Whitaker—4.

On motion of Mr. Paschal, the vote rejecting a bill to authorise railroad and other incorporated companies to transfer land certificates, was reconsidered, and bill ordered to be engrossed.

Mr. Taylor, chairman of the committee on Public Debt, to whom was referred a bill authorising and requiring the Auditor and Comptroller to audit the claim of Jackson McFarland and James McFarland, reported the same back and recommended its passage.

On motion of Mr. Martin, bill for the relief of the citizens of Mercer's Colony was taken up, read, and ordered to be engrossed.

On motion of Mr. Martin, rule suspended, bill read third time and passed.

Mr. Durst, by leave, introduced a bill for the relief of E. M. Anderson, sheriff of Cameron county; read first time.

On motion of Mr. Durst, rule suspended, bill read second time and referred to the committee on Finance.

On motion of Mr. Scott, bill to provide for the payment of the public debt of the late Republic of Texas, recognised as the first class debt, was taken up, and read first time.

On motion of Mr. Scott, rule suspended, bill read second time and made the special order for to-morrow at 11 o'clock.

Mr. Sublett, chairman on the part of the Senate of the committee on Enrolled Bills, made the following report :

SENATE CHAMBER, Feb. 26, 1854.

HON. D. C. DICKSON,

President of the Senate :

The Joint committee on Enrolled Bills have examined the following bills to-wit : An act to change the name of Frederick Levy to that of William B. Shelton ; an act to change the name of Louisa Johnson, an infant daughter of William Johnson, of the county of Kaufman, to that of Louisa Boyd ; an act to legalise the acts of Alexander Beaton, Notary Public of Navarro county ; an act to amend the 9th section of an act to regulate proceedings in the district courts, passed on the 13th day of May, 1846 ; an act to incorporate the Alma Female Institute ; an act to authorise the county clerk of Milam county to transcribe certain records ; joint resolution concerning the property destroyed at Fredericksburg by the U. S. soldiers, belonging to Cook & Lockwood ; an act to incorporate the Gilmer and Sulphur Springs Railroad company ; and an act to incorporate the town of McKinney, in the county of Collin, originating in the House of Representatives ; all of which said bills were correctly enrolled, and this day submitted to the Governor for his approval.

A message was received from the House, informing the Senate that the House had passed a bill originating in that body concerning the introduction of free persons of color within the limits of Texas ; also, the following bills originating in the Senate :

A bill making provisions for running and marking the boundary line between the State of Texas and the territory of the United States of America ; and

A joint resolution to provide for the *per diem* pay of the officers of the two houses of the Legislature.

On motion of Mr. Weatherford, the Senate adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

Senate met—roll called—a quorum not being present, on motion of Mr. Scott, the Senate adjourned until 9 o'clock to-morrow morning.